

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**In the Matter of:**

**Implementation of Pay Telephone**

**Reclassification and Compensation Provisions  
of the Telecommunications Act of 1996**

**CC Docket No. 96-128**

**Petition for Rulemaking or, in the Alternative,  
Petition to Address Referral Issues In Pending  
Rulemaking**

**DA 03-4027**

**RESPONSE TO JOINT MOTION FOR EXTENSION OF TIME**

Petitioners Martha Wright, *et al.* (“Petitioners”) respond to the Joint Motion to Extend Time for Filing Public Comments (“Joint Motion”) filed by Evercom Systems, Inc., T-Netix, Inc. and Corrections Corporation of America (“Interested Parties”).<sup>1</sup> The Joint Motion requests an extension of 30 days, from February 9 to March 10, 2004, to file initial comments on the Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues in Pending Rulemaking (“Petition”).<sup>2</sup>

As noted in the Joint Motion, the Petition raises “complex substantive matters”<sup>3</sup> concerning the “competitive and economic structure of the inmate [telephone] services market.”<sup>4</sup>

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<sup>1</sup> Joint Motion to Extend Time for Filing Public Comments, *Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128 (Jan. 26, 2004) (“Joint Motion”).

<sup>2</sup> FCC Public Notice, *Petition for Rulemaking Filed Regarding Issues Related to Inmate Calling Services; Pleading Cycle Established*, CC Docket No. 96-128, DA 03-4027 (Dec. 31, 2003).

<sup>3</sup> Joint Motion at 5.

The Joint Motion states that the Interested Parties “will be required to consult with their own experts about the economic and technological issues raised by the Petition” in order to “make their own assessment and formulate the analysis into useful comments.”<sup>5</sup> The Joint Motion asserts that, under the circumstances, no prejudice would result from a one month extension, and such “a modest extension” would aid in the development of a more complete record upon which to resolve the issues raised by the Petition.<sup>6</sup>

Petitioners have no objection to the 30-day extension sought by the Interested Parties of their time to file initial comments on the Petition. Petitioners note, however, that the Joint Motion proposes a total period of only 21 days, from March 10 to March 31, 2004, in which to prepare replies to the initial comments. Given the likely multiplicity of initial comments from the Interested Parties, other service providers, prison administrators and “state and local correctional agencies and officials”<sup>7</sup> and the need for Petitioners to respond substantively to all of the legal, policy and technological issues raised in each of those comments, Petitioners will almost certainly need more than 21 days to respond adequately. Thus, all of the same considerations spelled out in the Joint Motion apply with even greater force to Petitioners’ reply time.

Accordingly, Petitioners do not object to the request for a 30-day extension of the time to file initial comments on the Petition but reserve the right to request an additional extension of their time to file reply comments once they have had an opportunity to review the initial

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<sup>4</sup> *Id.* at 2.

<sup>5</sup> *Id.* at 4.

<sup>6</sup> *Id.* at 1, 5.

<sup>7</sup> *Id.* at 2.

comments. All of the considerations cited in the Joint Motion , as well as the public interest in protecting ratepayers, strongly support Petitioners' right to an adequate reply opportunity.

Respectfully submitted,

Martha Wright, *et al.*

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Dated: February 3, 2004

dc-370027

**CERTIFICATE OF SERVICE**

I, Theresa Rollins, certify that, on February 3, 2004, I caused to be served a true and correct copy of the attached Response to Joint Motion for Extension of Time upon the following by hand delivery or electronic mail:

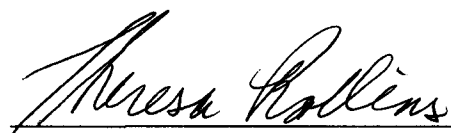
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